



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS	REDEVELOPMENT AGENCY
Dennis Kennedy, Mayor	Dennis Kennedy, Chair
Steve Tate, Mayor Pro Tempore	Steve Tate, Vice-Chair
Larry Carr, Council Member	Larry Carr, Agency Member
Mark Grzan, Council Member	Mark Grzan, Agency Member
Greg Sellers, Council Member	Greg Sellers, Agency Member

WEDNESDAY, MAY 18, 2005

AGENDA

JOINT MEETING

CITY COUNCIL SPECIAL AND REGULAR MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

6:00 P.M.

A Special Meeting of the City Council and Redevelopment Agency is Called at 6:00 P.M. for the Purpose of Conducting Closed Sessions.

Steve Tate, Mayor Pro Tempore/Vice-Chairman

CALL TO ORDER

(Mayor Pro Tempore/Vice-Chairperson Tate)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

6:00 P.M.

City Council Action and Redevelopment Agency Action

CLOSED SESSION:

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Authority: Government Code Sections 54956.9(b) & (c)
Number of Potential Cases: 3

2.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:

Authority: Pursuant to Government Code 54956.9(a)
Case Name: General Lighting Service, Inc. v. Wells Construction Group, et al. [Consolidated
Actions]
Case Number: Santa Clara County Superior Court, Lead Case No. 1-04-CV-025561

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

RECOGNITIONS

Outgoing Library Commissioners
George Nale, Ruth Phebus & Kathleen Stanaway
Mayor Pro Tempore Tate

Morgan Hill Cycling and Trail Awareness Award
Bob Eltgroth
Mayor Pro Tempore Tate

INTRODUCTIONS

Police Department Staff
Nathan Mazon, Lisa Pritsch, Keri Hulihan
Chief Cumming

Public Works Staff
Ann Beale, Rudy Zamarron
Deputy Director of Public Works Struve

PRESENTATIONS

Silicon Valley Open Studios at the Morgan Hill Community & Cultural Center - May 21 & 22, 2005
Daryl Manning

Environmental Poster Contest Winners
Program Administrator Eulo

Chamber of Commerce
Dan Ehrler and Bob Martin

CITY COUNCIL REPORT

Mayor Pro Tempore Tate

CITY COUNCIL SUB-COMMITTEE REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

City Council Action

CONSENT CALENDAR:

ITEMS 1-12

The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

Consent Calendar: 1 - 10 Minutes

Page

1. **THIRD QUARTER REPORT ON 2004-2005 WORKPLAN** 1
Recommended Action(s): Accept Report.

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
2.	<u>LEASE WITH SOLARA ENERGY</u>	19
	Recommended Action(s): <u>Authorize</u> the City Manager to Amend the Lease Agreement, Subject to Review by the City Attorney, with Solara Energy to:	
	1. <u>Allow</u> Solara to Install Roll-up Door Improvements and be Reimbursed by the City for the Costs;	
	2. <u>Change</u> the Lease Start Date from April 1, 2005 to May 1, 2005; and	
	3. <u>Make Revisions</u> as Needed to Clarify the Lease Terms.	
3.	<u>AWARD OF PROFESSIONAL SERVICES AGREEMENT FOR DESIGN OF TENNANT AVENUE WIDENING PROJECT</u>	21
	Recommended Action(s):	
	1. <u>Approve</u> Additional Scope of Work for Design Work for the Tennant Avenue Widening Project to MH Engineering for \$27,204; and	
	2. <u>Authorize</u> the City Manager to Execute a Professional Service Agreement for an Amount Not to Exceed a Total of \$53,742 for Design Services for the Tennant Avenue Widening Project, Subject to Review and Approval as to Form by the City Attorney.	
4.	<u>APPROVAL OF AN AMENDMENT TO THE 2004 MEMORANDUM OF UNDERSTANDING (MOU) TO CONDUCT A REGIONAL ANNUAL INTEGRATED PEST MANAGEMENT PROGRAM</u>	25
	Recommended Action(s): <u>Approve</u> Amendment No. 1, Establishing a Trust Fund for the Integrated Pest Management Program.	
5.	<u>ACCEPTANCE OF SUBDIVISION IMPROVEMENTS FOR TRACT 9462, QUAIL CREEK PHASE II</u>	35
	Recommended Action(s):	
	1. <u>Adopt</u> the Resolution Accepting the Subdivision Improvements Included in Tract 9462, Commonly Known as Quail Creek Phase II; and	
	2. <u>Direct</u> the City Clerk to File a Notice of Completion with the County Recorder's Office.	
6.	<u>FINAL UPDATE ON DEVELOPMENT PROCESSING SERVICES STUDY IMPLEMENTATION</u>	41
	Recommended Action(s): <u>Accept</u> Final Report on the Implementation Status of Development Processing Services Study Recommendations.	
7.	<u>RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDSCS) 2005 QUARTERLY REPORT #1</u>	51
	Recommended Action(s): <u>Accept</u> and <u>File</u> the RDSCS First Quarter Report for 2005.	
8.	<u>EXTEND TERMS OF OFFICE FOR THREE CURRENT PLANNING COMMISSIONERS, SCHEDULE INTERVIEW DATE, AND EXTEND TERMS OF OFFICE FOR THREE ARCHITECTURAL REVIEW BOARD (ARB) MEMBERS</u>	65
	Recommended Action(s):	
	1. <u>Extend</u> Terms of Office for Three Current Planning Commissioners Until Such Time that the City Council Concludes the Interview and Appointment Process;	
	2. <u>Schedule</u> a Special City Council Meeting for June 8, 2005 to Conduct Planning Commission Interviews; and	
	3. <u>Extend</u> Terms of Office for Three Current Architectural Review Board Members Until Such Time that the Vacancies are Filled.	

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
9.	<u>AMENDMENT TO MANAGEMENT RESOLUTION</u> Recommended Action(s): Adopt Resolution Amending the Management, Professional and Confidential Employees Resolution No. 5872 to Change the Salary Range for the Position of Utility Systems Manager; to Change the Title of the Police Supports Services Supervisor to Police Support Services Manager and to Change to the Salary Range for that Position; and to Delete the Position of Human Resources Supervisor.	67
10.	<u>ADOPT ORDINANCE NO. 1723, NEW SERIES</u> Recommended Action(s): Waive the Reading, and Adopt Ordinance No. 1723, New Series, and Declare That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO ORDINANCE NO. 619, NEW SERIES AND ORDINANCE NO. 955, NEW SERIES, ESTABLISHING A LIST OF PERMITTED AND CONDITIONAL USES ON A 4.8 ACRE INDUSTRIAL PLANNED UNIT DEVELOPMENT ON THE WEST SIDE OF VINEYARD BOULEVARD, NORTH OF VINEYARD COURT. (APN 817-02-055 thru 062) (ZAA-89-16: Church-LaBrucherie).	71
11.	<u>APPROVE MINUTES OF SPECIAL CITY COUNCIL COYOTE VALLEY SPECIFIC PLAN WORKSHOP OF APRIL 26, 2005</u>	79
12.	<u>APPROVE MINUTES OF SPECIAL CITY COUNCIL MEETING OF MAY 4, 2005</u>	93

City Council and Redevelopment Agency Action

CONSENT CALENDAR:

ITEMS 13-14

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
13.	<u>CITY MANAGER'S PROPOSED FISCAL YEAR 2005-2006 BUDGET AND CAPITAL IMPROVEMENT PROGRAM</u> Recommended Action(s): 1. Receive the City Manager's Proposed 2005-2006 Budget & Capital Improvement Program; 2. Set May 20, 2005 as a Budget Workshop, CIP Workshop, and Workplan Workshop; 3. Set June 15, 2005 as a Public Hearing on the Budget; and 4. Set June 22, 2005 for Adoption of the 2005-2006 Budget.	97
14.	<u>APPROVE MINUTES OF JOINT SPECIAL AND REGULAR CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING OF MAY 4, 2005</u>	99

City Council Action

PUBLIC HEARINGS:

	Time Estimate		Page
15.	30 Minutes	<u>ZONING AMENDMENT, ZAA-04-01/ DEVELOPMENT AGREEMENT, DA-04-08: TILTON-GLENROCK</u>	121
		Public Hearing Opened.	
		Please Limit Your Remarks to 3 Minutes. Public Hearing Closed	
		Council Discussion.	
		Action- <u>Motion to Waive</u> the Reading in Full of Zoning Amendment Ordinance.	
		Action- <u>Motion to Introduce</u> Zoning Amendment Ordinance by Title Only. (Roll Call Vote)	
		Action- <u>Motion to Waive</u> the Reading in Full of Development Agreement Ordinance.	
		Action- <u>Motion to Introduce</u> Development Agreement Ordinance by Title Only. (Roll Call Vote)	

City Council Action

OTHER BUSINESS:

	Time Estimate		Page
16.	10 Minutes	<u>SILICON VALLEY SOCCER COMPLEX PROPOSAL</u>	221
		<u>Recommended Action(s):</u>	
		1. <u>Authorize</u> Staff to Negotiate a Contract with the San Jose Soccer Complex Foundation, Subject to Review and Approval of the City Attorney, Committing the City of Morgan Hill to Pay up to \$974,000 in Development and Construction Costs as Certain Milestones are met; and	
		2. <u>Authorize</u> Payment of \$974,000 from the Capital Improvement Program (CIP) Subject to the Terms Established by Contract with the San Jose Soccer Complex Foundation.	

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT